



REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/942,787
Filing Date	August 29, 2001
First Named Inventor	Henry Scanzano
Group Art Unit	2171
Examiner Name	Te Y. Chen
Attorney Docket Number	9209-12

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See instruction Sheet for RCE's (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 C.F.R. § 1.114

a. ☒ Previously submitted Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on June 18, 2004
(Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

iii. ☐ Other _____

b. ☐ Enclosed

i. ☐ Amendment/Reply (Request for Reconsideration)

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☐ Other:

10/12/2004 SSITHIB1 00000076 09942787

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790.00 DP

2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b. ☐ Other _____

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-0220.

i. ☐ RCE fee of \$790.00 required under 37 C.F.R. § 1.17(e)

ii. ☐ Extension of time fee (37 C.F.R. § 1.136 and 1.17)

iii. ☐ Other _____

b. ☒ Check in the amount of \$790.00 enclosed to cover the RCE fee.

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

d. ☒ If necessary, the Director is hereby authorized to charge any deficiencies or credit any overpayments to Deposit Account No. 50-0220.

Myers Bigel Sibley & Sajovec, P.A., P. O. Box 37428, Raleigh, North Carolina 27627,
Telephone: (919) 854-1400, Facsimile: (919) 854-1401, Customer No. 20792

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Timothy J. O'Sullivan	Registration No. (Attorney/Agent)	35,632
Signature		Date	October 7, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

Express Mail" mailing label number EV473657805US

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Name (Print/Type)	Traci A. Brown	Date	October 7, 2004
Signature		Date	October 7, 2004